

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 220 – SB 699

March 19, 2017

SUMMARY OF ORIGINAL BILL: Establishes a \$10,000,000 liability limit per occurrence or per claim for special passenger excursion trains operated by non-profit sponsors for injury or accidents involving such trains. Requires non-profit sponsors operating special passenger excursion trains to maintain \$10,000,000 of liability insurance coverage per occurrence or per claim. Requires the non-profit sponsor to provide evidence of liability insurance coverage to the Department of Transportation upon request.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005298): Deletes all language after enacting clause. Establishes a \$10,000,000 liability limit per occurrence or per claim for up to 25,000 passengers per year for special passenger excursion trains operated by non-profit sponsors for injury or accidents involving such trains. Establishes a \$20,000,000 liability limit per occurrence or per claim for more than 25,000 passengers, and up to 50,000 passengers, per year for such special passenger excursion trains. Requires non-profit sponsors operating special passenger excursion trains to maintain liability insurance coverage in the above amounts, as applicable, and provide evidence of such coverage to the Department of Transportation upon request. Requires the proposed legislation to be deleted on May 1, 2022, unless extended by the General Assembly. Requires the Government Operations Committees of the Senate and House of Representatives to review and make recommendations on the extension of the proposed legislation during the 112th General Assembly.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Establishing the liability protections for non-profit sponsors of special passenger excursion trains, owners or operators of such trains, and railroad authorities over whose

tracks such trains are operated will not result in a significant impact to state and local government.

- The costs for maintaining liability insurance coverage will be borne by non-profit entities; therefore, any fiscal impact to state and local government is estimated to be not significant.
- Any impact on state premium tax collections is estimated to be not significant because it is possible such non-profit entities could carry the proposed coverage in the absence of this bill as amended.
- There will not be a significant impact on the court system.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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